

Larry Reynolds
454 Meyers Blvd.
Marrero, Louisiana 70072
Phone: 504-341-1435 | Cell: 504-616-69-45
Email: lpreynolds00@gmail.com

UNITED STATES DISTRICT COURT NORTHERN
DISTRICT OF CALIFORNIA

JURISDICTION

FILED
9 AUG 29 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

LARRY REYNOLDS,
Plaintiff

Case No.: **CV 19 5440**

RS

VS.

APPLE INC.,
GOOGLE LLC.
Defendants

COPYRIGHT
INFRINGEMENT LAWSUITS

JURISDICTION AND VENUE - 1. This is a civil action over which this court has original jurisdiction under 28 U.S.C. 1331 and 1338 in the claims herein arise under federal copyright law (17 U.S.C. 101, ET seq.) (the "Copyright Act"). Jurisdiction also exist pursuant to 28 U.S.C. 1332 (d)(2) because the matter in controversy exceeds the sum or value of \$5,000,000 exclusive of interest and cost), is an Individual Copyright Infringement Action in which Plaintiff is a citizen of a State different from Defendant Apple INC. 2. Venue in this District is proper under 28 U.S.C. 1391 (b) and/or 28 U.S.C. 1400 (a). On information and belief, a Substantial Part of the acts of infringement complained of herein occurred in this District.

PLEADING TITLE - 1

THE PARTIES - 3. The Plaintiff is an individual and residing in the United States (as defined herein), own the reproduction and distribution rights of copyrighted musical works reproduced and distributed by Defendant APPLE INC. Plaintiff Larry Reynolds (LP Reynolds) is an individual who is a resident of Louisiana.

Defendant APPLE INC. is a Delaware Corporation with its principal place of business in San Jose California, 1 Infinite Loop Cupertino, CA 95014-2283. APPLE does business throughout California and across the United States. Apple is a retailer and distributor of digital music, which it sells to consumers online via iTunes store and Apple Music mobile application.

NATURE OF THE ACTION - 4. This is an Individual Copyright Infringement Action brought by Plaintiff, on behalf of himself who holds and owns the mechanical rights in copyrighted musical works that Defendant Apple INC. ("Apple" or Defendant) has used without mechanical licenses in an egregious, continuous and ongoing campaign of deliberate copyright infringement. This is a copyright infringement lawsuit brought by Plaintiff, on behalf of himself, who is the holder of mechanical rights on behalf of himself in copyrighted Musical Works the Defendant Apple Inc. (Apple or

PLEADING TITLE - 2

Defendant) has used Without Mechanical licenses in an egregious, continuous and ongoing Campaign of deliberate copyright infringement.

5. Specifically, Apple has continued and continues to unlawfully reproduce and/or distribute copyrighted musical compositions (the "Works") to more than 50 million users via its interactive commercial music streaming Service. Apple Music is a subscription based music streaming service, offering access to over 50 million songs.

It is packed with features, including offline listening for when you're not connected, and it combines all your music in one place - even songs ripped from a CD. Apple Music also offers up radio stations and integration with Siri so you can control most things with your voice commands. This feature offers everything you need to know about Apple Music, including how much it costs, what it offers and how to use it. Apple Music launched 2015. The Apple Music service not only lets you stream on-demand any track from the iTunes catalogue but also access all your music in one place, whether purchased from iTunes, copied from a CD, or downloaded from the web.

PLEADING TITLE - 3

Apple services include Apple Store, Genius Bar, AppleCare, Apple Pay, Apple Pay Cash, and Apple Card.

Apple was founded by Steve Jobs, Steve Wozniak, and Ronald Wayne in April 1976 to develop and sell Wozniak's Apple 1 personal computer, though Wayne sold his share back within 12 days. It was incorporated as Apple Computer, Inc., in January 1977, and sales of its computers, including the Apple II, grew quickly. Within a few years, Jobs and Wozniak had hired a production line. Apple went public in 1980 to instant financial success.

COMPLAINT - Apple reproduces and/or distributes Plaintiff Works despite its failure to identify and/or locate the owners of those compositions for payment or to provide him with notice of Apple intent to reproduce and/or distribute the Works. Apple's infringement of Plaintiff's mechanical rights is knowing and willful. Indeed, Apple may be unable to identify the correct owners to pay royalties to of those musical Works that Apple reproduces and distributes. Moreover, Plaintiff believes that Apple has created a reserve fund of million of dollars wherein the royalty payments Apple wrongfully withholds from artist are held. 6. The existence of this fund reflects Apple's practice and pattern of copyright infringement, wherein the Apple Inc. reproduce and/or distributes

PLEADING TITLE - 4

the works without first obtaining appropriate authorization or license. Such use of the works creates substantial harm and injury to the Copyright holder, and diminishes the integrity of the Works. JURISDICTION AND VENUE. This action is a civil action over which this court has original jurisdiction under 28 U.S.C. 1331 and 1338 in that the claim herein arise under federal Copyright law (17 U.S.C. 101, ET SEQ)(the "Copyright Act"). Jurisdiction also exist pursuant to 28 U.S.C. 1332 (d)(2) because to matter in controversy exceeds the Sum or Value of \$5,000,000 (exclusive of interest and cost), is a COPYRIGHT INFRINGEMENT COMPLAINT ACTION, in which Plaintiff, is a citizen of a State different from Defendant Apple INC., Venue in this District is Proper under 28 U.S.C. 1391 (b) and/or 28 5 U.S.C. 1400 (a). 7. AS Plaintiff Larry Reynolds (LP Reynolds) has his musical works on the Apple Music and iTunes Stores, Platforms and App's, Apple sells, rent, transmit and/or otherwise discloses, to various third parties this information. Plaintiff lawsuit includes details of such information being sold and being available to buy by, third parties and application developers on the open market. As Apple sells Plaintiff Personal Listening Information. Apple is

PLEADING TITLE-5

facing Class Action Lawsuit in California. - Apple facing Class action lawsuit over alleged iTunes & Apple Music data sale by William Gallagher Saturday, May 25, 2019, 6:12 am PT (09:12 am ET) (see, Exhibit B). Residents of Rhode Island and Michigan lead the suit, which maintains that Apple profits unjustly by releasing what users play in iTunes and on Apple Music to other companies, and also allowing third-party app developers direct access to what tracks are in user's iTunes library. 8.

A Class Action suit has been filed against Apple in the US District Court, Northern District of California, on behalf of all Apple users, by three residents of Rhode Island and Michigan. Leigh Wheaton, Jill Paul and Trevor Paul, claim that Apple profits from releasing the extensive demographic data it has about its users, their full names, ages, address, plus their history of music listening preferences.

The suit is pegged to Apple's recent Las Vegas billboard promoting Privacy. "the statement on the billboard is plainly untrue, however", says the filing, "because ... none of the information pertaining to the music you purchase on your iPhone, stays on your iPhone". (See, Exhibit B).

PLEADING TITLE-6

Apple NEWSROOM - PRESS RELEASE - 9. Apple Today Announced Financial Results for Its Fiscal 2019 First Quarter Ended December 29, 2018. (See, Exhibit E), \$83.3 billion.

Plaintiff Larry Reynolds is informed and believe, and hereupon allege, that Apple has also sold, rented, transmitted, or otherwise disclosed his and customers Personal Listening Information to third parties. Those factual allegations are corroborated by publicly - available evidence. For instance, as shown in Exhibit F and Plaintiff Larry Reynolds Exhibit C, Personal Listening Information of 18,188,721 "iTunes and Pandora Music Purchases", residing across the United States (including in Michigan and Rhode Island), is offered for sale on the website of Carney Direct Marketing ("CDM") - one of many traffickers of this type of Personal Listening Information - at a base Price of "80/M [Per thousand records]" (8 cents each):

SRD, another brokerage company, offers for Sale the same or a similar list as the one sold by CDM, at the same price, and additionally offers a finder's fee to brokers who are able to find purchasers of this Personal Listening Information (offering "20% Commission to brokers" and 15% Commission to agencies"), as shown in Exhibit G of a publicly - accessible webpage on SRD's website:

Apple Discloses Plaintiff Larry Reynolds Personal Listening Information to various Third-party Mobile Application Developers,

PLEADING TITLE - 7

Who in Turn Redisclose Such Information to others to which is Third Parties. 10. Additionally, Apple has disclose and continues to disclose Plaintiff Personal Listening Information to developers of iOS Mobile applications, who in turn have disclose and continue to disclose such data to other third parties for profit. (see, Exhibit C).

11. Specifically, many mobile applications developed using Apple's iOS ~~SR~~ (SDR) have been programed to provide their developers with complete and total access, via Apple's "MediaPlayer Framework API", to highly-detailed metadata reflecting the full content of the iTunes music libraries of users devices on which such applications are installed (applications which, on information and belief, include but are not limited to those developed by Pandora). Plaintiff Larry Reynolds (LP Reynolds) is on Apple Music, Apple hand devices, Apple computers etc., by way of Apple's MediaPlayer Framework API. Some of Apple's products are: iPhone X, iPhone 7, iPad mini WiFi, MacBook Air, iPad mini 2 WiFi, iMac, iPad Pro. Apple has sold one billion iOS devices, company claims. (See, Exhibit A). 12. "Apple Faces First Lawsuit over Failing to License Indie Artist music rights", - see (www.complex.com) By Trace William Cowen December 19, 2017 - Apple Music failed to license mechanical rights for compositions belonging to independant artist Bryan Eich. The putative class action suit was filed by attorney Richard Garbarini that seeked \$30,000 for each alleged song infringement-Billboard reports. (see, Exhibit D).

PLEADING TITLE - 8

13. MACRUMORS.COM, LLC. April 30, 2019 PDT
by Juli Clover - Apple Services category, which includes, iTunes, the App Store, the Mac App Store, Apple Music, Apple Pay and AppleCare, has become an increasingly important revenue driver for Apple amid stagnating iPhone Sales, and Apple has been focusing more than ever on its Services Category.

During the second fiscal quarter of 2019 Apple's Services Segment brought in \$11.5 billion in revenue, up from the \$9.9 billion Services earned in the second quarter of 2018. Apple set new March quarter revenue records for the Apple Store, iCloud, AppleCare.

14. FACTUAL BACKGROUND - Plaintiff Larry Reynolds has been an avid presence in the music industry for decades, and has made his career creating and performing music. Mr. Reynolds is a songwriter, composer and producer, and the author of "76" songs for his popular groups LP Reynolds, Aruba Meyers, and L.P. Reynolds and the Argonauts. Mr. Reynolds is the copyright owner of the exclusive rights in a little over "76" songs to his musical copyrighted compositions in the United States, and have the mechanical rights to these works of music. Pursuant to the Copyright Act. Plaintiff possess exclusive rights regarding the reproduction and/or distribution of the copyrighted works, including the associated licensing rights to such activities. Plaintiff distribute, sell and/or license the works in the form of CDs, and other tangible media throughout the United States, including in Louisiana. Plaintiff reproduce, distribute, sell, and/or license the works in the form of digital audio files delivered and performed

PLEADING TITLE - 9

via the internet. Plaintiffs have invested and continue to invest good money, energy, time, effort and creative talent to create and develop the Works. Apple is an interactive commercial music streaming service (among, among other services that operates an Internet website (www.apple.com) and (www.applemusic.com) permitting users to customize listening choices for recorded music and to create Internet "radio stations". It's Internet services; and downloadable to computers and handheld devices (via mobile applications) making its streaming capabilities widely available to millions of users. Indeed, Apple has optimized its website for use on iOS and Android-based devices thereby reaching vast markets of users.

15. Apple have played well over 25 billion listening hours of music since its launch date on January 9, 2001 (Apple iTunes) and Apple Music launch date June 8, 2015, "All The Ways You Love Music, All In One Place", attached hereto as Exhibit H). 16. Apple offers its service to the public on both a free non-subscription and "Premium" paid subscription basis. Paid subscribers enjoy numerous benefits available to users of Apple's free service, including but not limited to, commercial-free listening privileges, "high quality audio", fully customizable play lists, and enhance features such as "unlimited skips", "listen offline" and play any track". Individual Plan \$9.99 a month, Student membership \$4.99 a month, and Family

PLEADING TITLE - 10

Plan for 6 people \$14.99 for monthly subscriptions. Apple claimed to have 390 million paid subscriptions across all of its services, an increase of 30 million compared to last quarter of 2019. Apple expects to pass half a million paid subscribers and subscriptions by year 2020. (see, Exhibit 1).

16. Consequently, Apple earns millions of dollars in revenues for its services, including from residents of Louisiana and California. Apple regularly reproduces and/or distributes to listeners and users of its services Plaintiff musical compositions, and has done so repeatedly for at least the past seven years. In the course of rendering its streaming services to users and subscribers, Apple reproduces and/or distributes Plaintiff's musical compositions or otherwise "didn't receive" authorization from Plaintiff to reproduce or distribute such works to its users and subscribers. Apple reproduces and/or distributes Plaintiff musical compositions numerous times. Apple has not licensed Plaintiff's musical compositions or received authorization from Plaintiff to reproduce or distribute such works to its users and subscribers. INDIVIDUAL COPYRIGHT COMPLAINT, Apple's unlawful reproduction and/or distribution of Plaintiff's copyrighted works has substantially harmed and continues to harm Plaintiff. 17. A non-exhaustive and illustrative list of Plaintiff's works that Apple has illegally reproduced and/or distributed for its users, includes, but is not limited to the following (among others): Plaintiff has received Certificates of Copyright Registration from the

PLEADING TITLE - 11

Register of Copyright for the Works. Apple's egregious and willful violations of Plaintiff rights are highlighted in Apple's pasted copyright infringement lawsuit regarding its failure to: (1) obtain licenses for the musical works it distributes and reproduces (thereby infringing multiple copyrighted works); and (2) compensate copyright owners for its use of their Works. Apple in some instances "Apple may not be able to identify the copyright owners from the Sound recordings provided to Apple", (See, Exhibit D). Also as exhibits, is (Plaintiff musical "Works" on Apple's, (Apple Music) Web Player - Apple Music, dated 07-10-2019 as Exhibit G).

18. "Apple failed to pay Songwriter and publisher, Larry Reynolds (LP Reynolds) completely 100% of the time. (See, Exhibit G), Larry Reynolds (L.P. Reynolds) on Apple Music Web Player - dated 07-10-2019. The Copyright Act provides statutory Penalties to discourage Apple's infringement, including statutory damages awards of between \$750 and \$30,000 for each infringed work, and up to \$150,000 for a willful infringement.

19. Plaintiff Larry Reynolds (LP Reynolds) seeks 12.3% of each iOS, Android devices, iPhones, iMac's, Computers, iPods, MacBook Air's, etc., in which Plaintiff Personal Listening Information was apart of. 20. Apple Inc. - "With one of code, you can get the entire music library from Apple. `MPMediaQuerySongsQueryOMethod`. Ben Dodson found the foregoing capabilities of Apple's `MPMediaQuery` so invasive he posted a blog. Apple has been using this `MPMediaQuery` on Plaintiff Larry Reynolds entire music catalog.

PLEADING TITLE - 12

ALLEGATIONS 1-61,21. Plaintiff Reynolds brings this action on behalf of himself who is the owner of Mechanical rights for registered Musical Compositions, which rights were improperly infringed by Apple's unlicensed and/or unauthorized reproduction and/or distribution of those compositions. Larry Reynolds the proposed owner of mechanical distribution and reproduction rights in mechanical compositions registered under United States Federal Law, which compositions were reproduced or distributed by Apple without license or authorization since December 28, 2012. This action may be properly brought and maintained as an individual copyright infringement action.

The Plaintiff alleges that; COUNT ONE - Defendant's (Direct Copyright Infringement 17 U.S.C. 106 and 501) Apple, without license, permission, or consent of Plaintiff has made unauthorized distribution of Plaintiff copyrighted musical compositions. As a direct and proximate result of Apple's willful and infringing conduct, Plaintiff is entitled to the maximum statutory damages or to the Plaintiff actual damages and Defendant's Profits, whichever are higher, against Defendant pursuant to 17 U.S.C. 504 (b).

PLEADING TITLE - 13

PARTIES CONTNUES - 22. The Plaintiff is an individual and residing in the United States (as defined herein), Own the reproduction and distribution rights of Copyrighted musical works reproduced and distributed by Defendant Apple Inc. Plaintiff Larry Reynolds is an individual who is a resident of Louisiana.

23. Defendant Apple Inc. is a Delaware corporation with its Principal Place of business in 1 Infinite Loop Cupertino, California 95014-2283. Apple does business throughout California and across the United States. Apple is a retailer and distributor of digital music, which it sells to consumers online via Apple Music and iTunes store mobile applications.

24. Defendant Google LLC. is a Delaware Corporation whose Parent company is Alphabet Inc. Google with its Principal Place of business in 1600 Amphitheatre Parkway Mountain View, California 94043. Google does business throughout California and across the United States. Google is a retailer and distributor of digital music, which it sells to consumers online via Google Play Store and Apps Applications. Google Play Music Store.

NATURE OF ACTION CONTINUES
PLEADING TITLE - 13A

25. This is an Individual Copyright Infringement Action brought by Plaintiff, on behalf of himself who holds and owns the mechanical rights in copyrighted musical works that Defendants Apple Inc. and Google LLC. ("Apple" or Defendant), ("Google" or Defendant) has used without mechanical license in an egregious, continuous and ongoing campaign of deliberate copyright infringement. This is a Copyright infringement lawsuit brought by Plaintiff, on behalf of himself, who is the holder of mechanical rights in copyrighted musical Works the Defendants Apple Inc. and Google LLC. (Apple or Defendant), (Google or Defendant) has used without mechanical licenses in an egregious, continuous and ongoing campaign of deliberate Copyright infringement.

26. Specifically, Apple and Google continues to unlawfully reproduce and/or distribute copyrighted musical compositions (the "Works") to more than 60 Million subscribers for (Apple Inc.), and 15 million music subscribers for Google Play via its interactive commercial music streaming service. Google Play Music.

27. Google Play Music offers all users storage of up to 50,000 files for free. User can listen to songs through the service's web player and mobile apps. The service scans the user's collection and matches the files to tracks in Google's catalog, which can then be streamed or

PLEADING TITLE - 14

downloaded in up to 320 kbit/s quality.

With a subscription to Google Play Music, you can stream over 30 million songs in the Google Play catalog ad-free. You can also skip songs much as you like and to music offline, you can listen. (See, Exhibit H).

28. From ANDROID AUTHORITY - APPLE MUSIC VS SPOTIFY VS GOOGLE PLAY MUSIC - BY JOE HINDY - Google Play Music All Access (later rebranded just Google Play Music) was first launched in 2013 during Google I/O and currently boasts over 40 million songs. On top of that, users can upload 50,000 of their own songs to Google Play Music which will then be added to their library for streaming, which is a great way to carry around your personal collection without taking up space on your device.

Any music you purchase on Google Play Music will also be added to your collection. Each song can be up to 300 MB. On top of that, you'll get YouTube Red bundled in.

29. A single account costs \$9.99 while a family account can contain up to six members and costs \$14.99. You can use Google Play Music for free, but you'll be limited to using radio stations (with ads) and listening to music that you have personally uploaded to the service (no ads). Each account can have up to 10 authorized devices and you can be able to de-authorize

PLEADING TITLE - 15

UP to four devices per year.

30. In May 2018, Google announced yet another music streaming service, YouTube Music. At the moment, it's rolling out slowly to a select number of people, but more will be added in the coming months. Google has confirmed that YouTube Music will replace Google Play Music sometime in 2019, and added that YouTube Music will eventually include all of the features that are a part of Google Play Music, including away for users to upload songs. If you are a Google Play subscriber, nothing is changing in the near term. (See, Exhibit J).

31. LARRY REYNOLDS - MUSICAL WORK AND COPY -
RIGHT REGISTRATION NUMBERS: ("8" CD ALBUMS
BRIDE FOR DOCTOR LEVINSTEIN - CD SONGS,
Date of Registration (Effective Date: June
12, 2018 - (Certification December 23, 2017)

1. Oh, That I Sing (Vocal), # SR000
0817150
2. That's the Way of the World
(Vocal) # SR0000817150
3. When You Learn to Love (Vocal)
SR0000817150
4. Angel Time (Instrumental) #
SR0000817150
5. Please Entreat Me (Vocal) #
SR0000817150
6. France Is Paris (Instrumen-
tal) # SR0000817150
7. Heavenly Bliss (Instrumental)
SR0000817150
8. Bride of Doctor Levinstein
(Instrumental) # SR0000817150
9. Yes, You'll Be Saved (Instru-
mental) # SR0000817150
10. Heavenly Wave (Instrumental)
SR0000817150
11. You shouldn't Go Away (Vocal)
SR0000817150

PLEADING TITLE - 17 - EXHIBIT F

32. LARRY REYNOLDS - MUSICAL WORKS AND COPYRIGHT REGISTRATION NUMBERS:

LP REYNOLDS IF YOU DON'T BELIEVE -
CD SONGS, (Effective Date Of Registration: June 12, 2018

1. If YOU DON't Believe (vocal) #
SR0000817146
2. Western Ways (vocal) # SR0000
817146
3. I Love You (vocal) # SR0000817
146
4. Endlessly (vocal) # SR0000817
146
5. Army in Patee (vocal) #
SR0000817146
6. Melanie (vocal) # SR0000817
146
7. He Will Be Free (vocal) #
SR0000817146
8. I Know I Want You (vocal) #
SR0000817146
9. Don't You Know, Want You See
(Instrumental) # SR0000
817146
10. I Came to Sing (Instru-
mental) # SR0000817146
11. Washington D.C. (Instru-
mental) # SR0000817146
12. The Holy Dance (Instru-
mental) # SR0000817146

PLEADING TITLE - 18

33. LARRY REYNOLDS MUSICAL WOKS
AND COPYRIGHT REGISTRATION NUM-
BERS:

L.P. REYNOLDS AND THE ARGO -
NAUTS (Effective Date of Regi-
stration: October 06, 2017

1. God IS SO Real (Instrumental) #
SR0000818761
2. The Known Voyage (Instru-
mental) # SR0000818761
3. Fleet Destination (Instrumen-
tal) # SR0000818761
4. Tell Me You Won't Challenge
(Instrumental) # SR0000818761
5. Hears of Glory (vocal) #
SR0000818761
6. I Want Jesus Around (Instru-
mental) # SR0000818761
7. Please Entreat Me (Instru-
mental) # SR0000818761
8. Crackling Rocks (Instrumen-
tal) # SR0000818761
9. Hasn't It Been Too Long
(Instrumental) # SR0000818
761
10. Time IS Doing You (Instru -
mental) # SR0000818761
11. The Spaceship Yall (vocal)
SR0000818761

PLEADING TITLE - 19

34. LARRY REYNOLDS MUSICAL WORKS
AND COPYRIGHT REGISTRATION NUM-
BERS:

L.P. REYNOLDS SUPERSAINT (Effective
Date: 2017-10-06, (Date of Creation:
2012-09-09

1. Saining While (Instrumental)
SR0000819918
2. Living High (Instrumental) #
SR0000819918
3. Supersaint (Vocal) # SR0000
819918
4. Air Wind Is Higher (Instru-
mental) # SR0000819918
5. Plans Can be Made (Instru-
mental) # SR0000819918
6. I Love (Vocal) SR0000819918
7. Jobless Crisis (Vocal) #
SR0000819918
8. Saints I Said (Vocal) #
SR0000819918
9. Sing Your Song (Instrumen-
tal) # SR0000819918
10. Sing Your Song (Vocal) #
SR0000819918

PLEADING TITLE - 20

35. LARRY REYNOLDS MUSICAL WORKS
AND REGISTRATION NUMBERS:

A HEAVENLY CHRISTMAS CHEERS
Registration Numbers and Songs, (Date
of Creation: November 19, 2015) (Date
Applied for Registration 07-17-2018

1. Wretched Soul (Instrumental) # 1-6443871807
2. Can I Lead You (Vocal) #
1-6443871807
3. To Tell the Angels We'll
Dance (Vocal) # 1-64438
71807
4. In These Blesseth Years (Inst.)
1-6443871807
5. I These Blesseth Years (Vocal)
1-6443871807
6. Tango Heaven (Instrumental) # 1-6443871807
7. Stars of Heaven (Vocal) # 1-644
3871807
8. Hasn't It Been Too Long
(Instrumental) # 1-64438
71807
9. Love is on It's Way (Vocal)
1-6443871807
10. Heavenly Christmas Cheers (Inst.)
1-6443871807

PLEADING TITLE - 21

36. LARRY REYNOLDS MUSICAL WORKS
AND REGISTRATION NUMBERS:

TENNESSEE FEVER(PRESIDENTIAL
EDITION) Effect Date of Registra-
tion NOVEMBER 22, 2016 (Date of
creation DECEMBER 29, 2012) Registra-
Numbers and Songs:

1. Tennessee Fever (Instrumental)
SR0000794096
2. Tennessee Fever (Vocal) #
SR0000794096
3. The Amazon (Instrumental) #
SR0000794096
4. The Awakening (Instrumental)
SR0000794096
5. Hearts of Glory (Instrumental)
SR0000794096
6. There's a Change (Vocal) #
SR0000794096
7. Heavenly Bliss (Instrumental)
SR0000794096
8. It's Love My Friend (Vocal)
SR0000794096
9. Tell Me You Won't Challenge
(Instrumental) # SR0000794096
10. God is Our World (Vocal) #
SR0000794096
11. Pretty Girl (Vocal) #
SR0000794096
12. The Girl That I Love (Vocal)
SR0000794096
13. Argentine Tango Holaz (Inst.)
SR0000794096

PLEADING TITLE - 22

37. LARRY REYNOLDS MUSICAL WORKS
AND COPYRIGHT REGISTRATION NUM-
BERS:

L.P. REYNOLDS SOMETHING NEW
(Dates And Songs). Effective Date
2016 - 11 - 22, Date of Creation -
2014 - 07 - 24

1. Stars of Heaven (Vocal) #
SR0000796961
2. Something New (Instru-
mental) # SR0000796961
3. Tell Me You Won't Challenge
(Vocal Rap) # SR0000796961
4. Fleet Destination (Instrumen-
tal) # SR0000796961
5. The Amazon (Instrumental)
SR0000796961
6. The Awakening (Instrumen-
tal) # SR0000796961
7. Hearts of Glory (Vocal) #
SR0000796961

PLEADING TITLE - 23

38. LARRY REYNOLDS MUSICAL WORKS
AND COPYRIGHT REGISTRATION NUM-
BERS AND SONGS:

L.P. REYNOLDS GOD GAVE LOVE
TODAY (Effective Date 2017-12-
29, Date of Creation: 2016-10-22

1. In These Blesseth Years

(Instrumental) #

SR0000818733

2. Oh, That I Sing (Vocal) #

SR0000818733

3. Air Wind Is Higher (Vocal)

SR0000818733

39. COUNT TWO - UNFAIR BUSINESS
PRACTICE - BUSINESS AND PROFESSIONAL
CODE - CHAPTER 5. [17200 - 17210]
CALIFORNIA.

39A. COUNT THREE - UNAUTHORIZED
PERSONAL LISTENING INFORMATION
SOLD, RENTED, TRANSMITTED, ETC.

39B. COUNT FOUR - UNAUTHORIZED
PERSONAL LISTENING INFORMATION,
DATA BROKERS AND TRAFFICKERS, ETC.

39C. COUNT FIVE - VIOLATIONS OF
THE U.S. LIBRARY OF CONGRESS
COPYRIGHT TERMS AND ROYALTY
PAYMENTS. UNPAID ROYALTIES TO
PLAINTIFF RELATING TO: PART 384 -
RATES AND TERMS FOR THE MAKING OF
EPHEMERAL RECORDINGS BY BUSINESS
ESTABLISHMENT SERVICES.

39D. COUNT SIX - PLAINTIFF SEEKS
12.3% OF EACH OF DEFENDANTS GROSS
MONTHLY AND YEARLY REVENUES OF
EACH ISO, OS, ISO DEVICES, iPhones,
iMacs, Computers, iPods, Macbooks,
Google - Pixelbook, Google Pixel 3XL,
Google Cromebooks, etc. And hand
held devices.

PLEADING TITLE - 25

40. The Plaintiff alleges that :counts 1-6.

COUNT ONE (Direct Copyright
Infringement 17 U.S.C. 106 and
501) Apple Inc. and Google LLC.
without license, Permission, or
consent of Plaintiff has made
unauthorized reproduction and/or
engaged in unauthorized distri-
bution of Plaintiff Copyrighted
musical compositions.

41. As a direct and proximate
result of Apple and Google's
willful and infringing conduct,
Plaintiff is entitled to the
maximum statutory damages or
to the Plaintiff actual damages
and Defendant's profits, whichever
are higher, against Defendant's
Pursuant to 17 U.S.C. 504(b).

42. Plaintiff elects to seek
(1A.) "statutory damages" also with
the Court final judgment, Plus
(2A.) 12.3% of Defendant's gross
PLEADING TITLE - 26 - EXHIBIT K

Monthly and yearly profits in 1st and 2nd quarter of 2019, also monthly and yearly profits dating back to 2015 - 2018. Which is believed to be estimated to be \$ 2,553,849,000 for Apple Inc. and \$ 428,501,000 for Google LLC.

43. Apple Gross Revenues for 1st. and 2nd Quarters 2019 - 12.3%, Gross Revenues for 2018 - 11.4%, and Gross Revenues for 2015 - 2017 - 10.5%, Quarters 1, 2, 3, 4:

A. (2019) Q1 - 12.3% x
8.93 billion = \$ 109,830,000

B. (2019) Q2 - 12.3% x
11.5 billion = 141.45
million dollars.

C. (2018) - Quarterly Revenues -
11.4 x 62.9 billion =
717.06 million

D. (2017) - Quarterly Revenues -
10.5% x 52.6 billion = 552.3
million

PLEADING TITLE - 27 - EXHIBIT L, 27-31

E. (2016) - Quarterly Revenues -
 $10.5\% \times 46.9 \text{ billion} = 492.45$
million dollars

F. (2015) - Quarterly Revenues -
 $10.5\% \times 51.5 \text{ billion} = 540.75$
million dollars

44. Google LLC. Gross Revenues
for years: 2019 - 2015, 12.3% for
2019, 11.4% for 2018, 10.5% for
2015 - 2017. As all the Gross
Revenues Quarters are added up
to equal: \$428,593,000. Google
Grossed \$ 36,000,169 in the year
2019:

2019	Q1	\$ 36,000,169
2018	Q4	\$ 39,000,122
2018	Q3	\$ 33,000,594
2018	Q2	\$ 32,512,000
2018	Q1	\$ 30,000,996
2017	Q4	\$ 32,000,192
2017	Q3	\$ 27,000,470
2017	Q2	\$ 25,000,913
2017	Q1	\$ 24,000,618
2016	Q4	\$ 25,000,802
2016	Q3	\$ 22,000,554
2016	Q2	\$ 21,000,315
2016	Q1	\$ 20,000,092
2015	Q4	\$ 21,000,179
2015	Q3	\$ 18,000,534
2015	Q2	\$ 17,000,653
2015	Q1	\$ 17,000,178

45. (A.) Defendant Google LLC. (Ad-Supported revenue in 2018 \$136.2 billion. Also in second quarter of 2019, 32.6 billion.

Google (Ad-Supported 2018) and Plaintiff 11.4% of Defendant Gross revenues which is \$136.2 billion and Q2 of 2019 32.6 billion.

$$11.4\% \times \$136.2 \text{ billion} = 1552.68 / \text{and } 12.3\% \times 32.6 \text{ billion} = 400.98$$

46. (B.) Defendant Apple Inc. third quarter earnings (2019) and Plaintiff 12.3% and 11.4% of Defendant Gross revenues. Apple made \$53.8 billion in revenue in 2019. iPhone revenue was \$25.99 billion in 2019 compared to \$29.47 billion in 2018.

$$\begin{aligned} &\text{Apple (2019) third quarter earnings: } \$53.8 \text{ billion in revenue: } 12.3\% \times 53.8 \\ &\text{billion} = 661.74 \end{aligned}$$

iPhone revenue: \$25.99 billion in (2019)

$$12.3\% \times \$25.99 \text{ billion} = 319.677$$

iPhone revenue (2018): 11.4% x
PLEADING TITLE - 29

\$ 29.47 billion = 335958000

000

47. Defendant's violations of 17
U.S.C. 1201. Circumvention of Copyright
Protection Systems - (minium, damage sum):

\$ 200.00 x 76 songs = \$15,200
for each quarter of 2015 -
2019. Also (or more, damage
sum) \$ 2,500 x 76 songs = \$190,
000 for each quarter

48. Defendant's violations of 17
U.S.C. 1202 (minium, damage sum):

\$ 2,500 x 76 songs = \$190,000
for each quarter of 2015 -
2019. Also (or more, damage
sum) \$ 25,000 x 76 songs =
\$190,000

49. Defendant's violations of
17 U.S.C. 504 of the U.S.
Code: \$ 30,000 x 76 songs =
\$ 2,280,000 for each quar-
ter of 2015 - 2019.

17 U.S.C. 504 of the U.S.
Code (minimum statutory
damage) \$ 750 x 76 songs =
\$ 57,000 for each quarter of
2015 - 2019.

PLEADING TITLE - 30

50. Defendant's violations of 17 U.S.C. 504 of the U.S. Code (for "Willful" violations) - \$150,000 X 76 songs = \$1,140,000, (Year: 2019, also, 2015 - 2018 per year).

51. Plaintiff alleges and incorporates by reference each and every allegation contained in Paragraph 1 through 61 of the Complaint - INDIVIDUAL COPYRIGHT INFRINGEMENT ACTION - On information and belief, Plaintiff alleges that Apple Inc. and Google LLC. (a) depresses the value of the royalties owed to the Plaintiff for the use of his works through an arbitrary and non-negotiated payment structure, and (b) captures and holds funds which are otherwise distributable and earns interest thereon, thereby profiting off its own unlawful conduct.

52. These business practices are unlawful and unfair pursuant to California Business and Professional Code - CHAPTER 5. Enforcement [17200-17210]

PLEADING - TITLE - 31

53. As a direct and proximate result of Apple and Google's conduct alleged herein Plaintiff is entitled to recover all Proceed and other compensation recieved or be recieved by Apple Inc. and Google LLC. for its failure to pay royalties. This includes any interest accrued on the royalty funds inappropriately withheld from Plaintiff.

54. Plaintiff have been damage, and Apple and Google has been unjustly enriched, in an amount that is not yet fully ascertained but which Plaintiff is informed and believes is not less than: \$400.98 (for Defendant Google), and: \$ 335958 000000 (for Defendant Apple) which is in the billion of dollars.

55. Unless the Court enjoins and restrains Apple and Google's conduct, Plaintiff will continue to endure great and irreparable harm that cannot be fully compensated or measured in monetary value alone. Accordingly, Plaintiff is entitled to temporary, Preliminary and permanent injunctions, Prohibiting further acts of unfair

competition pursuant to California
Business and Professional Code -
CHAPTER 5. Enforcement [17200 -
17210]

56.

EXHIBITS

LARRY REYNOLDS (LP REYNOLDS), FACTS
FOR SUMMARY JUDGEMENT - COPYRIGHT
INFRINGEMENT LAWSUITS AGAINST:
APPLE INC. AND GOOGLE LLC.

EXHIBIT A - (1.) "Apple's Media-
Player Framework API", and
Plaintiff alleges "Google's Media-
Player Framework API". (PLEADING TITLE - 8, #11.

EXHIBIT B - (2.) Apple Music -
"Music you can purchase on
your iPhone stays on your iPhone".
(PLEADING TITLE - 6, Paragraph 3).

EXHIBIT C - (3.) Apple Music and
Google Play Music - Defendants sold,
rented, transmitted or otherwise
disclosed Plaintiff Personal Listen-
ing Information to third Parties
and brokers. (PLEADING TITLE 7, #9.

EXHIBIT D - (4.) "Apple Faces
First Lawsuit over Failing to
License Indie artist Music
rights", Artist Bryan Eich.
(PLEADING TITLE - 12, # 17.

EXHIBIT E - (5.) Apple Today
Announced Financial Results
for its Fiscal 2019 Quarter

PLEADING TITLE - 34

Ended December 29, 2018. (PLEADING TITLE - 7, #9.

EXHIBIT F - (6.) Larry Reynolds Musical Works and Copyright Registration Numbers and Songs. "8" CD Albums. (PLEADING TITLE - 17, 17-24 .

EXHIBIT G - (7.) "Plaintiff Musical Works on Apple Music and Google Play Music". (PLEADING TITLE - 12, #17.

EXHIBIT H - (8.) Google Play Music - "You can stream over 30 million songs". (PLEADING TITLE - 15, # 27.

EXHIBIT I - (9.) Apple Music Individual Plan \$9.99 a month, student membership \$4.99 a month and family plan for 6 people \$14.99 a month. (PLEADING TITLE - 12, #17.

EXHIBIT J - (10.) Google announced yet another streaming service, YouTube Music. (PLEADING TITLE - 16, # 30.

EXHIBIT K - (11.) The Plaintiff alleges that: Counts 1 - 6. Count One Defendant's - (Direct copyright Infringement and Plaintiff damages, etc.

EXHIBIT L - (12.) Defendant's monthly and yearly profits of 2019, also monthly and yearly profits from 2015 - 2018. (PLEADING TITLE - 27, 27-31. PLEADING TITLE - 35

57. PRAYER FOR RELIEF WEREFOR, Plaintiff, on behalf of himself respectfully Prays for relief against Defendant's as follows:

1. Certify this matter as a COPYRIGHT INFRINGEMENT LAWSUITS COMPLAINT ACTION FOR DAMAGES AND INJUNCTIVE RELIEF,
2. ENTER Judgement in favor of Plaintiff,
3. Enter injunction and/or declaratory relief as is necessary to Protect the interests of Plaintiff 17 U.S.C. 502, including enjoining Defendant from continued copyright infringement and violations of the Copyright Act,
4. A temporary, Preliminary, and permanent injunctions enjoining and restraining Apple Inc. and Google LLC., and it's respective agents, servant, directors, officers, principals, employers, representatives, subsidiaries and affiliated companies, successors, assigns, and those acting in concert with them or at their direction, from further violations of California Business and Professional Code - CHAPTER 5. Enforcement [17200 - 17210] .

58. 5. Injunction relief that requires Apple and Google to pay for the services of a third party

PLEADING TITLE - 36

auditor to identify the owner of the works reproduced and/or distributed by Google and Apple's failure to first obtain a mechanical license prior to reproducing and/or distributing the works, and further requiring Google LLC. and Apple Inc. to remove all such works from its services until it obtains proper licenses for them; 6. Restitution of Google and Apple's unlawful proceeds, including Defendant's gross profits;

59.7. Award compensatory damages to Plaintiff in the amount to be ascertained at trial or summary judgment; 60. 8. Award statutory damages to Plaintiff according to proof, including but not limited to all penalties authorized by the Copyright Act (17 U.S.C. 504); 60A or 61.9. Award Plaintiff Pre- and Post-judgment interest to the extent allowable; and /// /// /// /// 62. Award such other and further relief that Court may seem proper.

Dated: Thursday August 22, 2019

Larry Reynolds

Larry Reynolds, Pro Se Litigant